

# EXHIBIT A



# U.S. Department of Justice

United States Attorney  
Northern District of California

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August 7, 2018

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725 Twelfth Street, N.W.  
Washington, DC 20005  
**VIA FEDEX**

Jeffrey B. Coopersmith  
Davis Wright Tremaine LLP  
1201 Third Avenue, Suite 2200  
Seattle, WA 98101  
**VIA FEDEX**

Re: United States v. Elizabeth Holmes and Ramesh "Sunny" Balwani  
CR-18-00258-EJD

Dear Counsel:

Pursuant to your request for discovery, enclosed are copies of the following:

PREFIX	BATES RANGE	SOURCE	VOLUME #
AMX	0000001-0001716	American Express	4
AZ	000000001-000024265	AstraZeneca	4
BC	00001-00252	Beckman Coulter	4
BD	00001-00723	Becton Dickinson	11
BMS-TH	0000001-0004179	Bristol Meyers	13
CCF	000000001-000001321	Cleveland Clinic	4
CDPH	000001-002358	California Dept. of Public Health	7
CEL	0000001-0010169	Celgene	13
DFJ	0000001-0002311	Draper Fisher Jurvetson	4
DS	0000001-0000384	Dailchi Sankyo	4
EDD	0000001-0000178	Employment Development Dept.	4
FBI-SG	0000001-0000010	S. Gangakhedkar	4
GSK	0000001-0000027	Glaxo SmithKline	4
GSK-TNS	0000001-0000051	Glaxo SmithKline	4
JAN	000000001-000004018	Janssen Biotech	4
LINNERSON	000001-001800	Linnerson	5
LIU	0000001-0001107	Liberty Insurance Underwriters	5

NVS-THERANOS	000001-000016	Novartis	5
NYDPH	0000001-0000195	NY Department of Health	5
PARLOFF	0000001-0000241	Roger Parloff	5
PFE	0000001-0000042	Pfizer	5
PFM-GJ	00000001-00004375	Partner Fund Management	5
PFM-DEPO	00000001-00018803	Partner Fund Management	9
PFM-ROGS	00000001-00000776	Partner Fund Management	8
ROSEN	0000001-0000566	Adam Rosendorff	5
SCRI	000001-005574	Sarah Cannon Research Institute	5
SMS	0000001-0025614	Siemens	10
	0025615	Siemens	14
SWYDOJ	000000001-000000082	Safeway	5
THER	0000001-2566546	Theranos	6
	2566547-2567424	Theranos	12
	2567425-3993412	Theranos	6
THERDOJ	0000001-0004239	Theranos	5
TOSOH	000001-000017	Tosoh America Inc.	5
US-FBI	0000001-0001539	FBI	1
WAG-TH-DOJ	00000001-00022253	Walgreens	2
	00022254-00069546	Walgreens	3

The government will make available for your inspection any item of evidence referred to in the enclosed reports and documents, as well as any other evidence seized from your client and/or which the government intends to offer in its case-in-chief. Please contact me to arrange a mutually convenient time for your inspection of such items.

The enclosed materials and any future discovery provided to you which may exceed the scope of discovery mandated by the Federal Rules of Criminal Procedure, federal statute or relevant case law is provided voluntarily and solely as a matter of discretion. By producing such materials to you, the government does not waive its right to object to any future discovery requests beyond the ambit of its legal obligations. We explicitly reject any suggestion that the criminal local rules, including Criminal Local Rule 16-1(c), serve as valid authority for any substantive discovery obligations beyond that required under the applicable federal statutes and rules (e.g., Rule 16 and Jencks).

Notice Re: FRE 404(b), 608, 609

The government also hereby gives notice that it may seek to introduce the other crimes, wrongs or acts committed by defendant which are referenced in the enclosed documents pursuant to Rules 404(b), 608 and/or 609 of the Federal Rules of Evidence.

Request for Reciprocal Discovery

With this letter the government requests all reciprocal discovery to which it is entitled under Federal Rules of Criminal Procedure 16(b) and (c) and 26.2, including, but not limited to, the following:



1. Inspection and/or copies of all books, papers, documents, photographs, tangible objects, or portions thereof in the possession, custody, or control of the defendant and which the defendant intends to introduce as evidence in his case-in-chief at trial.

2. Inspection and/or copies of the results of any reports of physical or mental examinations and of scientific tests or experiments made in connection with the above-entitled case within the possession or control of the defendant which the defendant intends to introduce as evidence in his case-in-chief at trial or which have been prepared by a witness whom the defendant intends to call at trial.

3. Inspection and/or copies of all statements made by all witnesses whom the defendant intends to call at trial.

Request for Notice of Defenses

The Government also requests notice of any intention of your client to rely on an entrapment defense or a defense involving mental condition or duress, and/or an alibi defense for offenses which occurred on or about the dates alleged in the indictment.


Plea Negotiations

I would also like to take this opportunity to state the United States Attorney's position regarding plea negotiations, if any, in this matter. I do not have the authority to make any binding plea offer in this matter. If you wish to discuss a disposition of this matter, please be advised that all discussions are about a tentative disposition only and will not be final unless and until the final disposition is approved by the United States Attorney or an appropriate designee. Please do not assume that I have received such approval based on discussions between us or the exchange of draft plea agreements. I will advise you in writing if and when our plea negotiations have resulted in a plea agreement approved by the United States Attorney or an appropriate designee.

Please contact me if you have any questions concerning the foregoing.

Very truly yours,

ALEX G. TSE  
Acting United States Attorney

  
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JOHN C. BOSTIC  
Assistant United States Attorney

Encl: one external hard drive